

REMARKS

This is a full and timely response to the non-final Office Action of July 12, 2005. Reexamination, reconsideration, and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this First Response, claims 1, 3-11, 13-16, 19-21, and 23-31 are pending in this application. The specification and claims 1, 3-5, 8-11, 13, 15, 16, 19, 21, and 23 are directly amended herein, and claims 24-31 are newly added. Further, claims 2, 12, 17, 18, and 22 are canceled without prejudice or disclaimer. It is believed that the foregoing amendments add no new matter to the present application.

Response to Specification Objections

The specification is objected to in the Office Action as allegedly containing various informalities. Applicants submit that the amendments set forth herein make the alleged objections to the specification moot. Accordingly, Applicants respectfully request that the objections to the specification be withdrawn.

Response to §112 Rejections

§112, First Paragraph

Claims 1-3 and 19-23 presently stand rejected under 35 U.S.C. §112, first paragraph, for various alleged informalities. Applicants submit that claims 1, 19, and 21 have been amended herein mooting the alleged 35 U.S.C. §112, first paragraph, rejections of claims 1-3 and 19-23. Accordingly, Applicants respectfully request that the 35 U.S.C. §112, first paragraph, rejections of claim 1-3 and 19-23 be withdrawn.

§112, Second Paragraph

Claims 1-20 presently stand rejected under 35 U.S.C. §112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants submit that the amendments set forth herein make the 35 U.S.C. §112, second paragraph, rejections of claims 1-19 moot. Further, with respect to claim 20, it is alleged in the Office Action that it is unclear “if the additional honeycomb panels are also being encased in an evacuated vacuum container of insulation material.” Noting that claim 19 recites the “first and second honeycomb *cores*” (emphasis added) as being encased, Applicants respectfully submit that claim 20 does not recite any elements that could be arguably construed as requiring the “additional honeycomb panels” to be encased in an evacuation vacuum container. Moreover, claim 20 is not indefinite, and the 35 U.S.C. §112, second paragraph, of claim 20 is improper. For at least the foregoing reasons, Applicants request that the 35 U.S.C. §112, second paragraph, rejections of claims 1-20 be withdrawn.

Response to §102 Rejections

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See, *e.g.*, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983).

Claim 1

Claim 1 presently stands rejected under 35 U.S.C. §102 as allegedly being anticipated by *Jackson* (U.S. Patent No. 6,767,606). Claim 1 reads as follows:

1. An insulation system comprising:
a first honeycomb core; and
a second honeycomb core, wherein the first and second cores are placed
in an offset arrangement; and
a container completely encasing the honeycomb cores such that the container provides vacuum containment for the honeycomb cores. (Emphasis added).

Applicants respectfully assert that *Jackson* fails to disclose at least the features of claim 1 highlighted hereinabove. Accordingly, the 35 U.S.C. §102 of claim 1, as amended, is improper.

In this regard, in the Office Action, it is asserted that “*Jackson* discloses a honeycomb structure comprising a first and second honeycomb panel in a vacuum film container made of nylon (col. 7, lines 60-67 and col. 8, lines 1-40).” However, *Jackson* discloses that the alleged “container” has an “opening.” See column 7, lines 65-68. Accordingly, the alleged “container” does not completely encase the alleged honeycomb cores of *Jackson* to provide vacuum containment for such cores. Therefore, *Jackson* fails to disclose “a container ***completely*** encasing the honeycomb cores ***such that the container provides vacuum containment for the honeycomb cores,***” as recited by claim 1. (Emphasis added).

For at least the above reasons, Applicants respectfully assert that *Jackson* fails to disclose each feature of pending claim 1. Accordingly, the 35 U.S.C. §102 rejection of claim 1 should be withdrawn.

Claims 3 and 28

Claim 3 presently stands rejected in the Office Action under 35 U.S.C. §102 as allegedly being anticipated by *Jackson*. Further, claim 28 has been newly added via the amendments set forth herein. Applicants submit that the pending dependent claims 3 and 28 contain all features of their respective independent claim 1. Since claim 1 should be allowed, as argued hereinabove, pending dependent claims 3 and 28 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 19

Claim 19 presently stands rejected under 35 U.S.C. §102 as allegedly being anticipated by *Jackson*. Claim 19 reads as follows:

19. A method of providing an insulation system comprising:
providing first and second honeycomb cores;
separately encasing each of the cores in encasing material thereby
providing a first honeycomb panel and a second honeycomb panel and providing
vacuum containment of the cores; and
placing the panels in an offset arrangement. (Emphasis added).

Applicants respectfully assert that *Jackson* fails to disclose at least the features of claim 19 highlighted hereinabove. Accordingly, the 35 U.S.C. §102 of claim 19, as amended, is improper.

In this regard, in the Office Action, it is asserted that “*Jackson* discloses a honeycomb structure comprising a first and second honeycomb panel in a vacuum film container made of

nylon (col. 7, lines 60-67 and col. 8, lines 1-40).” However, the alleged “container” does not appear to “separately” encase the alleged honeycomb cores of *Jackson*. Accordingly, *Jackson* fails to disclose “*separately* encasing each of the cores in encasing material,” as recited by claim 19. (Emphasis added).

For at least the above reasons, Applicants respectfully assert that *Jackson* fails to disclose each feature of pending claim 19. Accordingly, the 35 U.S.C. §102 rejection of claim 19 should be withdrawn.

Claims 20 and 31

Claim 20 presently stands rejected in the Office Action under 35 U.S.C. §102 as allegedly being anticipated by *Jackson*. Further, claim 31 has been newly added via the amendments set forth herein. Applicants submit that the pending dependent claims 20 and 31 contain all features of their respective independent claim 19. Since claim 19 should be allowed, as argued hereinabove, pending dependent claims 20 and 31 should be allowed as a matter of law for at least this reason. *In re Fine*; 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 21

Claim 21 presently stands rejected under 35 U.S.C. §102 as allegedly being anticipated by *Jackson*. Claim 21 reads as follows:

21. An insulation system comprising:
a first honeycomb core;
a second honeycomb core, wherein the first honeycomb core and the second honeycomb core are stacked in an offset arrangement; and
thermal insulation material separately encasing the first and second honeycomb cores. (Emphasis added).

For at least reasons similar to those set forth above in the arguments for allowance of claim 19, Applicants respectfully assert that *Jackson* fails to disclose at least the features of claim 19 highlighted above. Accordingly, the 35 U.S.C. §102 rejection of claim 21 should be withdrawn.

Claim 23

Claim 23 presently stands rejected in the Office Action under 35 U.S.C. §102 as allegedly being anticipated by *Jackson*. Applicants submit that the pending dependent claim 23 contains all features of their respective independent claim 21. Since claim 21 should be allowed, as argued hereinabove, pending dependent claim 23 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 24

Claim 24 has been newly added via the amendments set forth herein. Claim 24 presently reads as follows:

24. An insulating system comprising:
a first honeycomb core;
a second honeycomb core, wherein the first honeycomb core and the second honeycomb core are stacked in an offset arrangement; and
encasing material surrounding the first and second honeycomb cores thereby forming a sealed container for the first and second honeycomb cores.

Applicants respectfully assert that the cited art fails to disclose each of the above features of claim 24. Accordingly, claim 24 is allowable.

Claims 25-27

Claims 25-27 have been newly added via the amendments set forth herein. Applicants submit that the pending dependent claims 25-27 contain all features of their respective independent claim 24. Since claim 24 should be allowed, as argued hereinabove, pending dependent claims 25-27 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).


CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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